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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,653	08/21/2003	Susumu Kusakabe	113235-006	9927
29175	7590	12/02/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			NGUYEN, THAN VINH	
			ART UNIT	PAPER NUMBER
			2187	
DATE MAILED: 12/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/646,653	Applicant(s) KUSAKABE ET AL.	
	Examiner Than Nguyen	Art Unit 2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-14 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8,10-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/029,170.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/22/05 has been entered.
2. This is a response to the amendment, filed 9/22/05.
3. Claims 9 and 15 have been canceled. Claims 1,2,4-8,10-14 remain pending.

Response to Amendment

4. Applicant's arguments filed 9/22/05 have been fully considered but they are not persuasive. Applicant argues Watanabe (4,734,568) does not teach the claimed a memory section. The Examiner disagrees. Watanabe teaches a memory section including a first area for storing data of at least one user (entire memory; Fig. 3) and a second area set in an unused area of the first area (index memory area; Fig. 4), said second area used by said at least one user stored in the first area and managed in a block unit having a predetermined size, and storing plural data for respectively prescribing different access rights to said at least one user in said first area (index area stores security information; Fig. 5; 3/33-36), wherein the block unit includes a plurality of blocks that include a first block number and a second block number (index area has a plurality of blocks; Fig. 5), said first and second block numbers reflecting the size of the memory area associated with each user based on the actual amount of information stored for each user

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(blocks hold record length and maximum of records information associated with user; Fig. 5; 3/40-45). The Examiner maintains that Watanabe teaches the memory section, as fully claimed in claims 1,2,4-8, and 10-14.

5. Applicant argues Watanabe (4,849,614) does not teach the claimed a memory section.

The Examiner disagrees. Watanabe teaches a first area managed by a block unit where the block unit includes a plurality of blocks that include a first block number and a second block number (index area include a plurality of blocks; Fig. 3), said first and second block numbers reflecting the size of the memory area associated with each user based on the actual amount of information stored for each user (index information comprises record length and number of record associated with each user; Fig. 3; 7/55-60). Thus, the information stored in the index area of Watanabe contains all of the claimed information associated with the user. The Examiner maintains that Watanabe teaches the memory section, as fully claimed in claims 1,2,4-8, and 10-14.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1,2,4-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al (US 4,734,568).

8. As to claim 1,2,4,5:

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9. Watanabe teaches a composite IC card. Watanabe teaches the claimed information apparatus/method for: receiving a command (Fig. 12, command input 103); processing said command by utilizing a memory section including a first area for storing blocks of data (entire memory; Fig. 3), and a second area used by service provider(s) stored in the first area, each of the block data including definition data and access right data to the second area (index area contain access rights information; Fig. 4,5; 3/20-4/34), the command being processed by referring a plurality of block data stored in the first area; and transmitting results of the processing (response read/write output; Fig. 12). Watanabe teaches the block unit includes blocks to define the size of the user area (index area has an area to define the size/length of the assigned areas; Fig. 5; 3/31-48).

10. As to claim 6,9,15:

11. Watanabe teaches an unused area is assigned to the first area (Fig. 3).

12. As to claim 7,10,13,14:

13. Watanabe teaches processing the command by referring two or more data blocks of different access rights (a security level can have multiple access areas; 1/60-65; 3/67-4/5).

14. As to claim 8,11:

15. Watanabe teaches the second area includes a common area accessible by two or more users. (areas in which multiple security levels can access; 4/1-30).

16. As to claim 12:

17. Watanabe teaches access right data is either read/write data OR read-only data (4/35-40).

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18. Claims 1,2,4-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al (US 4,849,614).

19. As to claim 1,2,4,5:

20. Watanabe teaches a composite IC card. Watanabe teaches the claimed information apparatus/method for: receiving a command (Fig. 5, command input 107); processing said command by utilizing a memory section including a first area for storing blocks of data (entire memory; Fig. 1), and a second area used by service provider(s) stored in the first area, each of the block data including definition data and access right data to the second area (code area contain access rights information; Fig. 1,3; 3/62-4/10; 5/50-6/40), the command being processed by referring a plurality of block data stored in the first area; and transmitting results of the processing (response output; Fig. 5, step 09). Watanabe teaches the block unit includes blocks to define the size of the user area (index area has an area to define the size/length of the assigned areas; Fig. 3; 7/55-64).

21. As to claim 6,9,15:

22. Watanabe teaches an unused area is assigned to the first area (Fig. 1).

23. As to claim 7,10,13,14:

24. Watanabe teaches processing the command by referring two or more data blocks of different access rights (areas accessed determined by security level; 6/56-7/22).

25. As to claim 8,11:

26. Watanabe teaches the second area includes a common area accessible by two or more users (shared area; 5/40-45).

27. As to claim 12:

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28. Watanabe teaches access right data is either read/write data OR read-only data (read/write access data; Fig. 3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is 571-272-4198. The examiner can normally be reached on 8am-3pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Than Nguyen
Examiner
Art Unit 2187